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PTO/SB/05 (08/00)

Approved for use through 09/30/00. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> (Only for new nonprovisional applications under 37 CFR 1.53(b))		Attorney Docket No. 39740-0009A
First Inventor or Application Identifier Agus, et al.		Title GENE EXPRESSION MARKERS FOR RESPONSE TO EGFR INHIBITOR DRUGS
Express Mail Label No. EV049798815US		

<b>APPLICATION ELEMENTS</b> See MPEP chapter 600 concerning utility patent application contents.	<b>ADDRESS TO:</b> Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
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|---|---|
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17)<br>(Submit an original, and a duplicate for fee processing)   | 7. <input type="checkbox"/> Microfiche Computer Program ( <i>Appendix</i> )           |
| 2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.   | 8. Nucleotide and/or Amino Acid Sequence Submission<br>(if applicable, all necessary) |
| 3. <input checked="" type="checkbox"/> Specification [Total Pages <u>34</u> ]<br>(preferred arrangement set forth below) <ul style="list-style-type: none"><li>- Descriptive title of the Invention</li><li>- Cross References to Related Applications</li><li>- Statement Regarding Fed-Sponsored R&amp;D</li><li>- Reference to sequence listing, a table, or a computer program listing appendix</li><li>- Background of the Invention</li><li>- Brief Summary of the Invention</li><li>- Brief Detailed Description of the Drawings</li><li>- Detailed Description</li><li>- Claim(s)</li></ul> | a. <input checked="" type="checkbox"/> Computer Readable Copy                         |
| 4. <input type="checkbox"/> Drawing(s) (37CFR 1.152) [Total Sheets <u>    </u> ]  | b. <input checked="" type="checkbox"/> Paper Copy (identical to computer copy)        |
| 5. <input checked="" type="checkbox"/> Oath or Declaration [Total Pages <u>6</u> ] <ul style="list-style-type: none"><li>a. <input checked="" type="checkbox"/> Newly executed (original or copy)</li><li>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))<br/>(for continuation/divisional with Box 17 completed)</li><li>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b><br/>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</li></ul>   | c. <input checked="" type="checkbox"/> Statement verifying identity of above copies   |
| 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76   |   |

#### ACCOMPANYING APPLICATION PARTS

- |  |
|--|
| 9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s))   |
| 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney<br>(when there is an assignee)  |
| 11. <input type="checkbox"/> English Translation Document (if applicable)  |
| 12. <input type="checkbox"/> Information Disclosure <input type="checkbox"/> Copies of IDS Citations<br>Statement (IDS) PTO-1449 |
| 13. <input type="checkbox"/> Preliminary Amendment   |
| 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)<br>(Should be specifically itemized)                  |
| 15. <input type="checkbox"/> Certified Copy of Priority Document(s)<br>(if foreign priority is claimed)                          |
| 16. <input type="checkbox"/> Other: <u>                    </u>  |

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment:  
☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.

Prior application information: Examiner                     

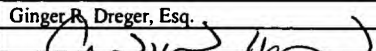
Group/Art Unit:                     

**For CONTINUATION or DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

#### 18. CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label	25213	or <input type="checkbox"/> Correspondence address below
(Insert Customer No. or Attach bar code label here)		

NAME	Ginger R. Dreger, Esq.				
ADDRESS	HELLER, EHRMAN, WHITE & McAULIFFE, LLP 275 Middlefield Road				
CITY	Menlo Park	STATE	CA	ZIP CODE	94025
COUNTRY	USA	TELEPHONE	650.324-7000	FAX	650.324-0638

Name (Print/Type)	Ginger R. Dreger, Esq.	Registration No. (Attorney/Agent)	33,055
Signature		Date	February 6, 2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Effective 01/01/2003. Patent fees are subject to annual revision.*

☒ Applicant claims small entity status. See 37 CFR 1.27

<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$)</b> 1,590.00
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**Complete if Known**

Application Number	Unassigned
Filing Date	February 6, 2004
First Named Inventor	David Agus, et al.
Examiner Name	Unassigned
Art Unit	Unassigned
Attorney Docket No.	39740-0009A

**METHOD OF PAYMENT** (check one)☐ Check    ☐ Credit card    ☐ Money Order    ☐ Other    ☐ None☒ **Deposit Account:**

Deposit  
Account  
Number

08-1641 (Docket No. 39740-0009A)
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Deposit Account Name	Heller Ehrman White & McAuliffe LLP
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**The Commissioner is authorized to:** *(check all that apply)*

☒ Charge fee(s) indicated below      ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

### FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	385.00
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

<b>SUBTOTAL (1)</b>	<b>(\$)</b>	<b>385.00</b>
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## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid
Total Claims	105	-20** =	85	x	9.00	= 765.00
Independent Claims	8	-3** =	5	x	43.00	= 215.00
Multiple Dependent					145.00	= 145.00

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

<b>SUBTOTAL (2)</b>	<b>(\$)</b> 1,125.00
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**\*\*or number previously paid, if greater; For Reissues, see above**

**FEE CALCULATION (continued)**

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	80.00
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	


Other fee (specify)

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

**(S) 80.00**

## SUBMITTED BY

Name (Print/Type)	Ginger R. Dreger, Esq.
Signature	

Registration No. (Attorney/Agent)	33,055
Date	February 6, 2004

Complete (if applicable)

<i>Telephone</i>	650-324-7000
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Customer No. 25213

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop , Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.